

INFORMATION PAPER

SUBJECT: Family Readiness Groups (FRGs) Legal Status

1 February 2006

1. Purpose. To provide information on a Department of the Army policy change regarding Family Readiness Group (FRG) status and operations.

2. Status.

a. In accordance with ALARACT message (Subject: Family Readiness Group Funding), the Community and Family Support Center (CFSC) announced that FRGs are now official “command sponsored” programs of the Department of the Army (AR 608-1, para 4-7). The Center also released a draft Commanders’ Guide.

b. FRG official activities will be supported using only appropriated funds (APFs) and government resources and can still disseminate command information and ensure personal and family readiness. For example, commanders can use APFs and provide logistical support for activities such as mailing official bulletins, emailing official information, and funding TDY travel. However, commanders can not use APFs and must obtain an ethics opinion before providing logistical support for unofficial activities such as fundraising, family events, or gifts.

c. Commanders can accept voluntary services, through the installation volunteer coordinator, from individuals to be FRG leaders. Commanders can use APFs to reimburse volunteers for certain incidental expenses pursuant to 10 U.S.C. § 1588(e) and AR 608-1, but can not be the approval authority for any payment/benefits to their own spouses.

3. Fundraising.

a. The Joint Ethics Regulation (DoD 5500.7-R) now applies to FRG members, including the volunteers. As a result, FRGs can not solicit gifts or conduct external fundraising.

b. FRGs may conduct internal fundraising, similar to an office cup and flower fund, but must comply with AR 600-29, para. 1-5 and AR 600-20, para. 4-21. FRGs can only fundraise among their own members. DA recently expanded its definition of ‘among their own members’ and now interprets this to allow fundraising across the entire installation population if the FRG can show that that population benefits from the FRG. With this expanded definition, any fundraising conducted outside of the commander’s immediate area must be coordinated with the commander who controls the space where the fundraising occurs. For example, bake sales at the PX or Commissary must be coordinated with the Garrison Commander. Currently, CFSC recommends an average balance not to exceed \$5,000 in the informal fund account, but this may change once the Commander’s Guide is final.

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4. Expenditures. The draft Commander's Guide contains detailed guidance on expenditures.

a. Commanders can now use APFs and provide logistical support such as procuring a suitable meeting room, reimbursing volunteers for training and travel, FRG member TDY, copying, information technology, logistical support, administrative supplies, newsletters, and mail. Additional expenses are listed in the Commander's Guide and AR 608-1, chapter 5.

b. Commanders can not use APFs to pay for social activities, food, mail that includes fundraising appeals or contains unofficial matters that increase the cost of the mailing, volunteer awards, holiday parties, and outings. Informal funds may be used to pay for these expenses.

5. Relationships with Private Organizations (PO).

a. There is no legal objection to establishing POs that share the goals and objectives of FRGs. These POs can conduct external fundraising and can solicit for gifts/donations in accordance with AR 210-22. However, the expansion of FRGs fundraising in the military installation (and not just to its own members) discussed above in para. 3(b) may reduce or eliminate the need to create a separate PO to fundraise for the FRG.

b. If an FRG still wants to establish a separate PO, conflicts of interest must be avoided, so unit or FRG leaders can not also be leaders of the related PO. Nor can their spouses. Government personnel can join the PO in their private capacity, but they would have to disqualify themselves from taking any official action concerning the PO.

6. Contact the Ft. Knox Office of the Staff Judge Advocate, Administrative Law Division, (502) 624-7414 if you have any legal or ethics questions.

LEO E. BOUCHER III
COL, JA
Staff Judge Advocate

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